



# **GMR Epigenetics**

525 Del Rey Ave., Suite B  
Sunnyvale, CA 94085, USA  
Phone: (650) 248-3617  
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To: Wan Laymon  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Comminnioner  
For Patent Examination Policy  
U.S. Patent and Trademark Office  
P.O. Box 2327, Mailstop DAC  
Arlington, VA 22202

From: Jifan Hu, M.D., Ph.D.  
Andrew R. Hoffman, M.D.

c/o: Petition for reviving the abandoned patent application (No: 09/643,128)

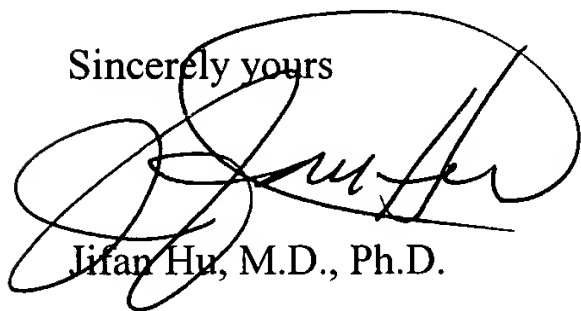
Dec. 3, 2002

Dear Ms. Wan Laymon,

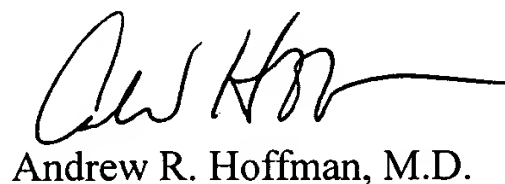
It was nice to talk to you over the phone this morning. I really appreciate your help clearing problems in our patent petition.

As per your request, I am now resending those documents with signatures from both Dr. Andrew R. Hoffman and myself. Please do not hesitate to contact me at 650-248-3617, or via e-mail Dr. Jifan Hu at [jifan@gmrusa.com](mailto:jifan@gmrusa.com) should you have questions for this petition. You may also contact Dr. Andrew R. Hoffman at 650-725-2908, or via e-mail at [arhoffman@Stanford.EDU](mailto:arhoffman@Stanford.EDU).

Sincerely yours



Jifan Hu, M.D., Ph.D.



Andrew R. Hoffman, M.D.

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DEC 06 2002  
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## STATEMENT

To: Wan Laymon  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Comminnioner  
For Patent Examination Policy

From: Jifan Hu, M.D., Ph.D.  
Andrew R. Hoffman, M.D.

c/o: Petition for reviving the abandoned patent application (No: 09/643,128)

Sept. 12, 2002

Dear Petitions Examiner,

As the inventors of the US Patent Application (No: 09/643,128), we are writing to appeal to revive the patent application. We apologize for the failure to reply the notice of June 4, 2001 due to the miscommunication between USPTO, patent attorney and GMR Epigenetics as described as follows.

The patent was originally prepared and filed by patent attorney Rahul Pathak at Pennie & Edmonds (Palo Alto, CA) on behafe of our company. The application was filed on Dec. 15, 2000 (Reference Number of 10583-0005-999). However, after filing, Pennie & Edmonds informed us that they were unable to continue their work on our application because of an internal policy that they firm will not work on any cases in which Stanford University is the assignee. Because GMR Epigenetics and Stanford University were jointed assignees on the application, Pennie & Edmonds discontinued the case. Because we lacked the funds to rehire new patent council to take care of the case, we simply asked them to return all documents to Dr. Neil Dey at GMR Epigenetics.

However, for some reason, Pennie & Edmonds did not successfully transfer the Power of Attorney to us as we assumed it had been. We called the attorney firm and they claimed they had sent the request letter to USPTO (as seen in attached letter). However, USPTO office said that there was no record in the file. Nonetheless, as a result of this miscommunication, we did not receive any communications, responses, or requests from USPTO. Furthermore, we failed to receive the forwarded documents from Pennie & Edmonds the documents they received from your office. We just patiently waited until we learn patent was abandoned thorough our phone call to USPTO. In addition, we have moved from our original Mountain View office to Sunnyvale after filing the patent. It may account for the failure in receiving the mails and response.

Considering this special case, we would appreciate your help with reviving the patent application.

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We would also appreciate your help with following issues:

1). Please change correspondence address and power of attorney from our original patent attorney Pennie & Edmonds to GMR Epigenetics:

Dr. Jifan Hu, President and inventor, GMR Epigenetics, 525 Del Rey Avenue, Suite B, Sunnyvale, CA 94085, Phone: (650)-248-3617, Fax: (408) 523-6261, E-mail: [jifan@gmrusa.com](mailto:jifan@gmrusa.com). Dr. Jifan Hu will personally handle the case until we find an appropriate attorney for the case in the future.

2). Change the old address (Mountain View location) into the new Sunnyvale address as:  
525 Del Rey Avenue, Suite B, Sunnyvale, CA 94085.

3). In the last mail, we have sent your office the forms and documents required for patent petition and patent review, including:

A). A disk containing "Sequence List". "The information recorded in computer readable form is identical to the written sequence listing". However, some sequence ID errors in original version were corrected:

a). Seq ID aa =1, bb=2, cc=3, dd=4, zz=5, xx=6, and

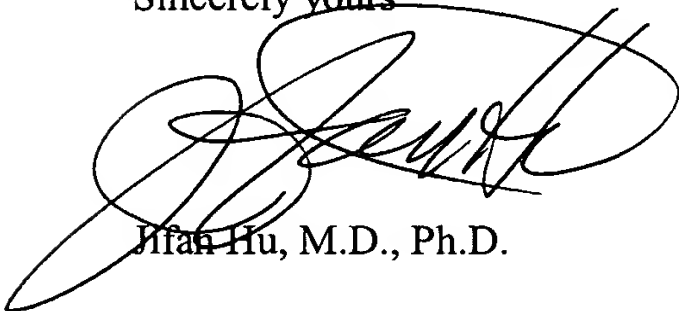
b). Sequences in the table with missing ID numbers are renumbered as Seq ID #7-56 in order.

B). A petition form for reviving patent abandoned unintentionally under 37 CFR 1.137(b).

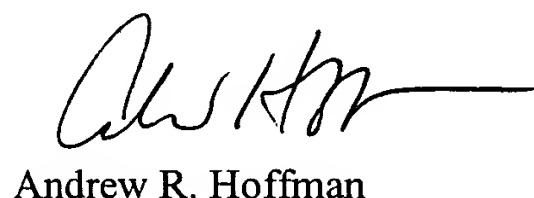
C). A check (\$640) for petition fee.

Should you have questions for this petition, please do not hesitate to contact Dr. Jifan Hu at 650-248-3617 or e-mail at [jifan@gmrusa.com](mailto:jifan@gmrusa.com), or Dr. Andrew R. Hoffman at 650-725 2908, or e-mail at [arhoffman@Stanford.EDU](mailto:arhoffman@Stanford.EDU).

Sincerely yours



Jifan Hu, M.D., Ph.D.



Andrew R. Hoffman



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P.O. Box 2327, Mailstop DAC  
Arlington, VA 22202  
From: Jifan Hu, M.D., Ph. D.

c/o: Petition for reviving the abandoned patent application (No: 09/643,128)

Dec. 4, 2002

Dear Ms. Wan Laymon,

After carefully reviewing the letter and documents transferred from Pennie & Edmonds, it seems that the major reason for the delay to reply the Notice to Comply with Requirements for Patent Application Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosure (Notice) is the failure of changing the Attorney of Record by USPTO office.

According to the attached documents, Pennie & Edmonds sent the letter requesting to change the Attorney of Record and to send all correspondences related to this patent to Dr. Jifan Hu at Genmethrax (now called GMR Epigenetics). From the certified mail, USPTO office received the documents on Feb. 28, 2001. Theoretically, USPTO should change the Attorney of Record as requested and mail all requests, like the Sequence Notice, to Genmethrax, not to Pennie & Edmonds.

However, for some reason, USPTO office still keep Pennie & Edmonds as the Attorney of Record, as least it was still the case when I called the office in last September. Accordingly, USPTO Office sent the Sequence Request Notice to Pennie & Edmonds, instead of the company (Genmethrax). As a result, the company could not answer the request on time. Thus, we think USPTO office also should have some responsibility for the case and should not charge us for the petition fee.

Anyway, I would appreciate it if you could carefully review the case and help us reviving the patent.

Sincerely yours

  
Jifan Hu, M.D., Ph.D.

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